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 STORES, L.P.; and BESTBUY.COM, L.L.C.

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION**

In re: Cathode Ray Tube (CRT)  
 ANTITRUST LITIGATION

Master File No. 3:07-md-05944-SC

MDL No. 1917

This Document Relates To:

This document relates to:  
 DIRECT PURCHASER PLAINTIFF  
 ACTIONS

**DECLARATION OF BRIAN STONE IN  
 SUPPORT OF OPPOSITION TO  
 DEFENDANTS' MOTIONS FOR  
 SUMMARY JUDGMENT DKTS. 3006,  
 3014, 3029& 3059**

Judge: Hon. Samuel P. Conti  
 Court: Courtroom 1, 17th Floor  
 Date: February 6, 2015  
 Time: 10:00 a.m.

I, Brian Stone, hereby declare as follows:

1. I am currently the Director of Vendor Management at Best Buy Purchasing, LLC.

I make this declaration on behalf of Best Buy Co., Inc., Best Buy Purchasing LLC, Best Buy Enterprise Services, Inc., Best Buy Stores, L.P., and Bestbuy.com, LLC. (collectively "Best Buy") based on my personal knowledge.

4. During the Relevant Period, Best Buy purchased CRT Products exclusively from vendors located in the United States.

6. Best Buy's purchase data produced in this litigation, at BBYCRT000080 – CRT000094 reflects that Best Buy purchased CRT Products directly from various defendants, co-conspirators and their affiliates during the Relevant Period.

Executed this 19 day of December in Richfield, Minnesota.

Brian Stone

# Exhibit 1

HIGHLY CONFIDENTIAL  
PURSUANT TO THE PROTECTIVE ORDER

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IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE: CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION

Master File No. 3:07-cv-05944 SC

MDL NO. 1917

Judge: Hon. Samuel Conti

This Document Relates To:

ALL ACTIONS

HIGHLY CONFIDENTIAL

PURSUANT TO THE PROTECTIVE ORDER

VIDEOTAPED DEPOSITION OF BRIAN R. STONE

VOLUME 2

Taken May 22, 2014

Reported By:  
Anne Marie Sager  
JOB # 73891

HIGHLY CONFIDENTIAL  
PURSUANT TO THE PROTECTIVE ORDER

<p style="text-align: right;">Page 378</p> <p>1 time period, did Best Buy try to achieve the best</p> <p>2 margins that it could on CRT products?</p> <p>3 A Yes.</p> <p>4 Q See right under "payment terms" it says</p> <p>5 net, 30-days. Domestic, freight pre-paid shipments</p> <p>6 to Best Buy DCs.</p> <p>7 This means that LG is paying for the</p> <p>8 shipping here, right?</p> <p>9 A Yes.</p> <p>10 Q And the shipping cost included the price</p> <p>11 invoiced to you, is that right?</p> <p>12 MS. CONN: Objection.</p> <p>13 BY MS. COLE:</p> <p>14 Q Best Buy. To Best Buy.</p> <p>15 MS. CONN: Objection to form.</p> <p>16 A Yes.</p> <p>17 BY MS. COLE:</p> <p>18 Q Okay. Take a look at the last page,</p> <p>19 page 6 out of 6.</p> <p>20 Under "MDF" it says the total support</p> <p>21 funding by LG will be \$8.5 million.</p> <p>22 Do you see that?</p> <p>23 A Yes.</p> <p>24 Q What was the range typically of MDF</p> <p>25 funding that Best Buy received from its vendor</p>	<p style="text-align: right;">Page 380</p> <p>1 generally to MDF funding or does it have some other</p> <p>2 meaning?</p> <p>3 MS. CONN: Separate and apart --</p> <p>4 BY MS. COLE:</p> <p>5 Q Separate and apart from this document.</p> <p>6 MS. CONN: Object to form.</p> <p>7 A I don't know.</p> <p>8 BY MS. COLE:</p> <p>9 Q What is a bragalog?</p> <p>10 MS. CONN: Object to form.</p> <p>11 BY MS. COLE:</p> <p>12 Q If you know.</p> <p>13 A I don't know.</p> <p>14 Q You can set that document aside.</p> <p>15 Did Best Buy ever utilize an auction</p> <p>16 process in purchasing CRT products during the</p> <p>17 relevant time period?</p> <p>18 A Not to my knowledge.</p> <p>19 Q Is it accurate to say that Best Buy</p> <p>20 negotiated its CRT product procurement only with</p> <p>21 domestic suppliers, in other words, those located</p> <p>22 within the United States?</p> <p>23 MS. CONN: Object to form.</p> <p>24 A We would negotiate -- can you restate</p> <p>25 the question?</p>
<p style="text-align: right;">Page 379</p> <p>1 partners during the relevant time period for an</p> <p>2 annual program?</p> <p>3 MS. CONN: Object to form.</p> <p>4 A I don't know.</p> <p>5 BY MS. COLE:</p> <p>6 Q Does this reflect a typical amount as you</p> <p>7 see this here?</p> <p>8 MS. CONN: Object to form.</p> <p>9 A I don't know.</p> <p>10 BY MS. COLE:</p> <p>11 Q Let me ask you one last question on the</p> <p>12 first page of this document.</p> <p>13 A Okay.</p> <p>14 Q Yeah. That's it. Under "campaign</p> <p>15 funding" at the top. What does "campaign funding"</p> <p>16 refer to?</p> <p>17 MS. CONN: In the document? I'm going to</p> <p>18 object to form.</p> <p>19 A In this document, the campaigns will be</p> <p>20 highly integrated across the company and will</p> <p>21 utilize the use of direct mail, magazine, e-mail and</p> <p>22 a buyer's guide similar to last year's magalog and</p> <p>23 bragalog, it looks like.</p> <p>24 BY MS. COLE:</p> <p>25 Q Does -- does campaign funding refer</p>	<p style="text-align: right;">Page 381</p> <p>1 BY MS. COLE:</p> <p>2 Q Let me say it a different way.</p> <p>3 Did Best Buy ever negotiate with vendors</p> <p>4 overseas for the procurement of CRT products?</p> <p>5 MS. CONN: Object to form.</p> <p>6 A Not to my knowledge.</p> <p>7 Q Did Best Buy ever visit vendors overseas?</p> <p>8 MS. CONN: Object to form.</p> <p>9 A Yes.</p> <p>10 Q Under what circumstances would Best Buy</p> <p>11 visit vendors overseas?</p> <p>12 MS. CONN: Well, object to form.</p> <p>13 A There are multiple reasons or potential</p> <p>14 purposes. Vendor relationship development.</p> <p>15 Partnership meeting.</p> <p>16 BY MS. COLE:</p> <p>17 Q During the relevant time period, which</p> <p>18 vendors, CRT product vendors, did Best Buy visit</p> <p>19 overseas?</p> <p>20 A I don't know.</p> <p>21 Q Did Best Buy regularly visit its CRT</p> <p>22 product vendors overseas?</p> <p>23 MS. CONN: Object to form.</p> <p>24 A Yes.</p> <p>25 BY MS. COLE:</p>



HIGHLY CONFIDENTIAL  
PURSUANT TO THE PROTECTIVE ORDER

<p style="text-align: right;">Page 382</p> <p>1 Q Did Best Buy ever negotiate procurement</p> <p>2 of CRT products while it was overseas visiting</p> <p>3 vendors?</p> <p>4 MS. CONN: Object to form.</p> <p>5 A I don't know.</p> <p>6 BY MS. COLE:</p> <p>7 Q Is it possible?</p> <p>8 MS. CONN: Object to form.</p> <p>9 A It's possible that a negotiation could</p> <p>10 have taken place, but the documentation would have</p> <p>11 been within the U.S. within Minneapolis with POs</p> <p>12 being written from this location.</p> <p>13 BY MS. COLE:</p> <p>14 Q What individuals visited vendors</p> <p>15 overseas, at what level? We talked earlier about</p> <p>16 merchants, senior merchants.</p> <p>17 A It varied.</p> <p>18 Q Sometimes merchants would go overseas?</p> <p>19 A Not to my knowledge.</p> <p>20 Q What about senior merchants?</p> <p>21 A Yes.</p> <p>22 Q Who else? What other positions?</p> <p>23 A It would have likely been the senior</p> <p>24 merchant's manager, so a director, and then</p> <p>25 potentially a higher-up leader as well.</p>	<p style="text-align: right;">Page 384</p> <p>1 of report, an e-mail report.</p> <p>2 MS. CONN: Well, let me object to form.</p> <p>3 A I don't know.</p> <p>4 BY MS. COLE:</p> <p>5 Q Do you know if CRT vendors ever shipped</p> <p>6 their products directly from overseas to Best Buy?</p> <p>7 A No.</p> <p>8 Q How would they get shipped then if they</p> <p>9 were coming from overseas?</p> <p>10 MR. GRALEWSKI: Object to form.</p> <p>11 A The vendor would ship the product to the</p> <p>12 U.S. and then at that point the U.S. Best Buy would</p> <p>13 take possession of the goods from the vendor.</p> <p>14 Q Did Best Buy ever take possession of</p> <p>15 goods in Mexico?</p> <p>16 MS. CONN: Object to form.</p> <p>17 A I don't know.</p> <p>18 BY MS. COLE:</p> <p>19 Q Do you know if they ever took possession</p> <p>20 of goods anywhere outside of the United States?</p> <p>21 MS. CONN: Object to form.</p> <p>22 A No, I don't.</p> <p>23 BY MS. COLE:</p> <p>24 Q Did Best Buy typically issue purchase</p> <p>25 orders to the CRT product manufacturers from which</p>
<p style="text-align: right;">Page 383</p> <p>1 Q When you were involved in the monitor</p> <p>2 business, did you ever have the opportunity to visit</p> <p>3 a CRT vendor partner overseas?</p> <p>4 A I did not.</p> <p>5 Q Did any senior merchants on your team</p> <p>6 visit monitor vendors overseas?</p> <p>7 MS. CONN: Object to form.</p> <p>8 A No.</p> <p>9 BY MS. COLE:</p> <p>10 Q Did anyone on your team visit any monitor</p> <p>11 vendors overseas while you were in the monitor</p> <p>12 business?</p> <p>13 A No.</p> <p>14 MS. CONN: Object to form.</p> <p>15 BY MS. COLE:</p> <p>16 Q If a negotiation about procurement were</p> <p>17 to take place overseas, would there be any</p> <p>18 memorialization of that negotiation?</p> <p>19 MS. CONN: Object to form.</p> <p>20 A I don't know.</p> <p>21 BY MS. COLE:</p> <p>22 Q When Best Buy employees negotiated with</p> <p>23 CRT vendors, would they write reports about those</p> <p>24 negotiations?</p> <p>25 And when I say "report," I mean any kind</p>	<p style="text-align: right;">Page 385</p> <p>1 it procured goods?</p> <p>2 A Yes.</p> <p>3 Q Was that done electronically or was it</p> <p>4 done via paper during the relevant time period?</p> <p>5 A I believe both.</p> <p>6 Q Both throughout the entire time period or</p> <p>7 did it change from a paper process to an electronic</p> <p>8 process at some point during the relevant</p> <p>9 time period?</p> <p>10 A I don't know. My assumption is it</p> <p>11 transitioned, but I don't know.</p> <p>12 Q Do you know whether paper purchase orders</p> <p>13 would have been stored somewhere within Best Buy?</p> <p>14 A No.</p> <p>15 Q No, you don't know?</p> <p>16 A No, I don't know.</p> <p>17 Q Where were Best Buy's distribution</p> <p>18 centers within the United States?</p> <p>19 A I don't know the specific locations.</p> <p>20 Q Were they throughout the United States?</p> <p>21 A They tended to be regionalized.</p> <p>22 Q Did Best Buy have any stores outside of</p> <p>23 the United States during the relevant time period?</p> <p>24 A No.</p> <p>25 Q Not in Canada?</p>

# Exhibit 2

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 BEST BUY ENTERPRISE SERVICES, INC.; BEST BUY  
 STORES, L.P.; BESTBUY.COM, LLC; MAGNOLIA HI-FI,  
 INC.

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

IN RE: CATHODE RAY TUBE (CRT)  
 ANTITRUST LITIGATION

Master File No. M:07-5994-SC  
 MDL No. 1917

This Document Relates to  
 Individual Case No. 3:11-cv-05513-SC

Case No. 3:11-cv-05513-SC

BEST BUY CO., INC.; BEST BUY PURCHASING LLC;  
 BEST BUY ENTERPRISE SERVICES, INC.; BEST BUY  
 STORES, L.P.; BESTBUY.COM, L.L.C.; and  
 MAGNOLIA HI-FI, INC.,

Plaintiffs,

v.

HITACHI, LTD.; HITACHI DISPLAYS, LTD.; HITACHI  
 AMERICA, LTD.; HITACHI ASIA, LTD.; HITACHI  
 ELECTRONIC DEVICES (USA), INC.; SHENZHEN  
 SEG HITACHI COLOR DISPLAY DEVICES, LTD.;  
 IRICO GROUP CORPORATION; IRICO GROUP  
 ELECTRONICS CO., LTD.; IRICO DISPLAY DEVICES  
 CO., LTD.; LG ELECTRONICS, INC.; LG  
 ELECTRONICS USA, INC.; LG ELECTRONICS  
 TAIWAN TAIPEI CO., LTD.; LP DISPLAYS  
 INTERNATIONAL LTD.;

(CONTINUED ON NEXT PAGE)

**BEST BUY'S OBJECTIONS AND  
 RESPONSES TO DEFENDANTS  
 PANASONIC CORPORATION OF NORTH  
 AMERICA AND LG ELECTRONICS USA,  
 INC.'S FIRST SET OF INTERROGATORIES**



PANASONIC CORPORATION; PANASONIC CORPORATION OF NORTH AMERICA; MT PICTURE DISPLAY CO., LTD.; BEIJING MATSUSHITA COLOR CRT CO., LTD.; KONINKLIJKE PHILIPS ELECTRONICS N.V.; PHILIPS ELECTRONICS NORTH AMERICA CORPORATION; PHILIPS ELECTRONICS INDUSTRIES (TAIWAN), LTD.; PHILIPS DA AMAZONIA INDUSTRIA ELECTRONICA LTDA.; SAMTEL COLOR LTD.; THAI CRT CO., LTD.; TOSHIBA CORPORATION; TOSHIBA AMERICA, INC.; TOSHIBA AMERICA CONSUMER PRODUCTS, LLC; TOSHIBA AMERICA ELECTRONIC COMPONENTS, INC.; TOSHIBA AMERICA INFORMATION SYSTEMS, INC.; CHUNGHWA PICTURE TUBES, LTD.; CHUNGHWA PICTURE TUBES (MALAYSIA); TATUNG COMPANY OF AMERICA, INC.,

Defendants.

**PROPOUNDING PARTIES:**

PANASONIC CORPORATION OF NORTH AMERICA and LGE ELECTONICS USA, INC.

**RESPONDING PARTY:**

BEST BUY CO., INC.; BEST BUY PURCHASING LLC; BEST BUY ENTERPRISE SERVICES, INC.; BEST BUY STORES, L.P.; BESTBUY.COM, L.L.C.; and MAGNOLIA HI-FI, INC.

**SET NO.:**

FIRST

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiffs Best Buy Co., Inc.; Best Buy Purchasing LLC; Best Buy Enterprise Services, Inc., Best Buy Stores, L.P.; BestBuy.Com, L.L.C.; and Magnolia HI-FI, Inc. (collectively "Best Buy") hereby Object and Respond to Defendants Panasonic Corporation of North America and LG Electronics USA, Inc.'s Third Set of Interrogatories (hereinafter, the "Interrogatories").

**RESERVATIONS OF RIGHTS**

In responding to these Interrogatories, Best Buy states that it has conducted, or will conduct, a diligent search, reasonable in scope, for information that is relevant to the Interrogatories. In the event that additional information relevant to the Interrogatories is later identified or brought to Best Buy's attention, Best Buy reserves the right to amend, revise,

Best Buy identify each "DOCUMENT, PERSON or other evidentiary source that YOU rely upon," and seeks information that is maintained by and equally available to Defendants and/or stated in publicly available documents. Best Buy further objects to this interrogatory as premature contention discovery.

**Interrogatory No. 4:**

Describe in detail and in narrative form (including by identifying each DOCUMENT, PERSON or other evidentiary source that YOU rely upon) how any changes in the initial CRT price charged by any DEFENDANT can be traced through to the price paid for a CRT PRODUCT by an individual end consumer in the retail market.

**Response:**

In addition to the General Objections above, Best Buy objects to this interrogatory because it is overly broad, unduly burdensome, and oppressive, particularly as it requests that Best Buy identify each "DOCUMENT, PERSON or other evidentiary source that YOU rely upon," and seeks information that is maintained by and equally available to Defendants and/or stated in publicly available documents. Best Buy further objects to this interrogatory as premature contention discovery.

**Interrogatory No. 5:**

For all purchases of a CRT or CRT PRODUCT upon which YOU base any claim in this action describe in detail and in narrative form the negotiation and bidding process.

**Response:**

In addition to the General Objections above, Best Buy objects to this interrogatory because it is overly broad, unduly burdensome, and oppressive, particularly as it requests that Best Buy "describe in detail and in narrative form the negotiation and bidding process" for all purchases made over a 12-year period, and seeks information that is maintained by and equally available to Defendants.

**Interrogatory No. 6:**

For all purchases of a CRT or CRT PRODUCT upon which YOU base any claim in this action IDENTIFY:

- a. all locations(s) at which the price was negotiated;
- b. all locations(s) at which the other terms and conditions of purchase were negotiated;
- c. all locations(s) at which the price and other terms and conditions of purchase were agreed upon;
- d. the IDENTITY of each supplier who submitted a bid, or otherwise proposed a price, for the CRT or CRT PRODUCT;
- e. the IDENTITY of each supplier(s) chosen to supply the CRT or CRT PRODUCT;
- f. the reason(s) for choosing supplier(s) to supply the CRT or CRT PRODUCT;
- g. all locations(s) to which the CRT or CRT PRODUCT, or any product containing the CRT or CRT PRODUCT, was shipped by YOU or someone acting on YOUR behalf;
- h. the IDENTITY of all entities that paid for the CRT or CRT PRODUCT; and
- i. all locations(s) and the IDENTITY of all financial institution(s) from which payment for the CRT or CRT PRODUCT was sent.

**Response:**

In addition to the General Objections above, Best Buy objects to this interrogatory because it is overly broad, unduly burdensome, and oppressive in that it seeks detailed information in narrative form for each purchase of CRT Products over a 12-year period. Subject to and without waiving these objections, Best Buy responds that its purchases of CRT Products occurred in Minnesota.

**Interrogatory No. 7:**

IDENTIFY each entity other than YOU, including by stating whether the entity is incorporated under the laws of a country other than the United States, that was involved in a purchase of a CRT or CRT PRODUCT upon which YOU base any claim in this action and describe the nature of that entity's involvement, including, but not limited to, whether the entity:

- a. negotiated the price or other terms and conditions of purchasing the CRT or CRT PRODUCT;
- b. agreed to the purchase of the CRT or CRT PRODUCT;

**Response:**

Best Buy is not currently asserting any claim based on an assignment of rights.

**Interrogatory No. 10:**

To the extent YOU base any claim in this action on a purchase of a CRT or CRT PRODUCT that was shipped at any point to a location in Mexico or Canada, IDENTIFY for all such purchases:

- a. whether at any time the CRT or CRT PRODUCT was shipped, warehoused, or otherwise maintained in bond, including the location(s) and time period(s) during which the CRT or CRT PRODUCT was in bond;
- b. all locations(s) at which the invoice for the CRT or CRT PRODUCT was received, including the IDENTITY of the entity who received the invoice; and
- c. the location(s) of all bank accounts used to pay the invoice for the CRT or CRT PRODUCT, including the IDENTITY of the entity who paid the invoice.

**Response:**

In addition to the General Objections above, Best Buy objects to this interrogatory because it is overly broad, unduly burdensome, vague, and oppressive, and not reasonably calculated to lead to the discovery of admissible evidence. Best Buy further objects to the extent this interrogatory seeks information that is maintained by Defendants or a third party and/or equally available to Defendants. Best Buy further objects to this interrogatory as premature contention discovery.

**ROBINS, KAPLAN, MILLER & CIRESI L.L.P.**

DATED: May 14, 2014

By: /s/ Laura E. Nelson  
Roman M. Silberfeld  
David Martinez  
Laura E. Nelson

**ATTORNEYS FOR PLAINTIFFS  
BEST BUY CO., INC.; BEST BUY PURCHASING LLC; BEST  
BUY ENTERPRISE SERVICES, INC.; BEST BUY STORES,  
L.P.; BESTBUY.COM, LLC; MAGNOLIA HI-FI, INC.**